

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:17-00137-03

ALISHA MARIE ESQUE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On March 6, 2019, the United States of America appeared by J. Matthew Davis, Assistant United States Attorney, and the defendant, Alisha Marie Esque, appeared in person and by her counsel, John J. Balenovich, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Jeffrey D. Bella. The defendant commenced a 32-month term of supervised release in this action on September 27, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on August 8, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that she participate in and successfully complete a long-term residential drug treatment program inasmuch as on September 27, 2018, she reported to Presteria Center to begin long-term substance abuse treatment and left the facility against medical advice on September 30, 2018; (2) the defendant failed to notify the probation officer of her change in residence inasmuch as she did not contact him after leaving Presteria Center, rendering her whereabouts unknown until her arrest on January 31, 2019; and (3) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by her on January 31, 2019, for marijuana, methamphetamine, buprenorphine, benzodiazepine and heroin; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

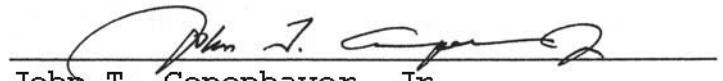
And the court having complied with the requirements of Rule 32(a) (1) (B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by a term of twenty-four (24) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special condition that she participate in, and successfully complete, a long-term residential drug treatment program such as the 9 to 12 month program at Recovery

Point or, if unavailable, a similar residential program to be designated by the probation officer, where she shall follow the rules and regulations of the facility, participate in drug abuse counseling and treatment, and submit to random drug screens, as directed by the facility and the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 8, 2019

  
John T. Copenhaver, Jr.  
Senior United States District Judge